

Title	Appellate Procedure: Forms for Appeals in Unlimited Civil Cases (approve forms APP-002–APP-007)
Summary	To assist self-represented litigants in the Courts of Appeal, this proposal would create an information sheet about the civil appellate process and new, optional forms that litigants can use in appeals of unlimited civil cases.
Source	Appellate Advisory Committee Justice Joyce L. Kennard, Chair
Staff	Heather Anderson, Committee Counsel, 415-865-7691, heather.anderson@jud.ca.gov
Discussion	<p>Self-represented litigants who try to appeal a superior court decision to the Court of Appeal often face difficulty both in understanding basic appellate procedures and in drafting and filing appropriate papers. The Fourth Appellate District of the Court of Appeal has recently prepared an extensive manual to assist such self-represented litigants. At the suggestion of the Judicial Council’s Task Force on Self-Represented Litigants, the Appellate Advisory Committee is also considering options at the statewide level for improving access for such self-represented litigants.</p> <p>As an initial element of this effort to improve access for self-represented litigants, the committee is proposing the following set of Judicial Council–approved forms,¹ effective January 4, 2004, to assist litigants with several of the common steps in the appellate process:</p> <p>APP-002, <i>Information on Appeal Procedures for Unlimited Civil Cases</i>. This form is designed to provide self-represented litigants with a quick overview of the procedures for appealing a superior court decision in an unlimited civil case. As the introductory paragraph cautions, this information is not meant to provide a detailed guide to the procedures; litigants are directed to read the relevant rules of court themselves and advised that they may need to seek legal assistance. The topics covered in this information sheet include the notice of appeal, fees on appeal, designation of record, filing the record, briefs, and abandonment of appeal.</p> <p>APP-003, <i>Notice of Appeal—Unlimited Civil Case</i>. This form would</p>

¹ When forms are "approved" by the Judicial Council, litigants are not required to use these forms, but the courts are required to accept the forms when litigants chose to use them.

provide litigants with a standardized mechanism for filing a notice of appeal in unlimited civil cases. The form includes a list of the judgments or orders that may be the subject of the appeal.

APP-004, *Notice Designating Record on Appeal in Unlimited Civil Case*. This form would provide litigants with a standardized mechanism for requesting the clerk's and court reporter's transcripts in an unlimited civil matter. It would also provide a way for litigants to inform the court and other parties when they are electing to proceed without a clerk's or reporter's transcript.

APP-005, *Application for Extension of Time to File Brief*. This form would provide litigants with a standardized mechanism for requesting an extension of time to file a brief.

APP-006 and APP-007, *Abandonment of Appeal (Civil Case)* and *Request for Dismissal of Appeal (Civil Case)*, respectively. These forms would provide appellants with standardized mechanisms for informing the court and the parties when they are voluntarily abandoning or wish to dismiss an appeal.

Comments would be appreciated both on these forms and about any other statewide forms that you believe should be developed to assist self-represented litigants with the appellate process.

The text of the proposed forms is attached.

Attachments

INFORMATION ON APPEAL PROCEDURES FOR UNLIMITED CIVIL CASES

The following is general information about the procedures for appeals of unlimited civil cases. This information is not intended to be comprehensive, but to provide an overview to help guide you through the appeal process. You should thoroughly read rules 1 through 27 of the California Rules of Court. If you have questions about the appellate process, you should consult an attorney of your own choosing.

1. NATURE OF AN APPEAL

A party may appeal an unfavorable judgment and certain orders in an unlimited civil case made in the superior court to the Court of Appeal for the district in which the superior court is located. Generally, the appeal must be based on an argument that a legal error was made by the superior court. An appeal is not a retrial. You will not be permitted to introduce new evidence, and the appellate court will not reassess conflicting evidence. You may not appeal on behalf of a friend, a spouse, a child, or other relative (unless you are a legally appointed guardian).

2. PARTIES

The party filing the appeal is called the APPELLANT. The party against whom the appeal is brought is called the RESPONDENT.

3. NOTICE OF APPEAL

In order to appeal from a superior court decision in an unlimited civil case, the appellant must file a notice of appeal in the superior court (Cal. Rules of Court, rule 1). A notice of appeal tells the other party or parties in the case and the superior court that you are appealing the decision of the superior court. You may use Judicial Council form APP-003, *Notice of Appeal—Unlimited Civil Case*, to file a notice of appeal in an unlimited civil case.

The notice of appeal must be served on the other party or parties in the case and filed with the clerk of the superior court within **60 calendar days** after the clerk mails or a party serves either a notice of entry of judgment or a file-stamped copy of the judgment. If neither of these documents is mailed, the notice of appeal must be filed within **180 calendar days** after entry of judgment (the date the judgment is file-stamped). **No extension of this time limit is allowed.** (Cal. Rules of Court, rule 2.)

4. FEE ON APPEAL

The notice of appeal must be accompanied by a \$265 filing fee (Gov. Code, § 69826) made payable to "Clerk, Court of Appeal" and a \$100 deposit (Gov. Code, § 68926.1) made payable to "Clerk of the Superior Court." If you do not have the money for the fees, you may submit an application for waiver of court fees and costs on appeal under rule 985 of the California Rules of Court. (Cal. Rules of Court, rule 1(b).)

5. DESIGNATION OF RECORD

See rules 4 through 12.5 of the California Rules of Court which govern the preparation of the record on appeal.

Since the appellate court was not present at the trial or other proceedings in the superior court, there must be an official record of the oral proceedings and written materials from the superior court for the appellate court to review in assessing the appeal. Within 10 days of filing the notice of appeal, the appellant must tell the superior court in writing ("designate") what documents and oral proceedings to include in the record that will be sent to the Court of Appeal. You will need to designate all the parts of the record that the Court of Appeal will need to decide the issues you raise in the appeal. You can use Judicial Council form APP-004, *Notice Designating Record on Appeal in Unlimited Civil Case* to designate the record in an unlimited civil case.

Reporter's Transcript

The court reporter's transcript is the written record (which is often called the "verbatim" record) of the oral proceedings in the superior court.

Within 10 days of filing the notice of appeal, the appellant must serve and file with the superior court clerk either a notice designating a reporter's transcript or a notice of intent to proceed without a reporter's transcript (Cal. Rules of Court, rule 4(a)(1)). You can use Judicial Council form APP-004, *Notice Designating Record on Appeal in Unlimited Civil Case* to file this notice in an unlimited civil case.

The notice designating the reporter's transcript must specify the date of each proceeding to be included in the reporter's transcript and must be served on each known court reporter (Cal. Rules of Court, rules 4(a)(4) and (6)). The names of the court reporters who reported the proceedings are found in the superior court clerk's minute orders, which are prepared for each day of the proceedings and then placed in the superior court file.

With the notice designating the reporter's transcript, the appellant must deposit the approximate cost of transcribing the proceedings designated (Cal. Rules of Court, rule 4(b)). The cost may be obtained from the reporter's written estimate or calculated at \$650 per day (more than 3 hours of court time) or \$325 per fraction of a day (less than 3 hours of court time) (Cal. Rules of Court, rule 4(b)(1)).

Within 10 days after service of the appellant's designation of the reporter's transcript, the respondent may serve and file a notice designating additional proceedings to be included in the reporter's transcript (Cal. Rules of Court, rule 4(a)(2)). Respondent must pay for the cost of transcribing any additional proceedings designated.

If appellant elects to proceed without a reporter's transcript, respondent may not designate a reporter's transcript without first obtaining an order from the reviewing court (Cal. Rules of Court, rule 4(a)(3)).

CASE NAME:	CASE NUMBER:
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Clerk's Transcript

The court clerk's transcript is a compilation of the documents filed in the superior court. Within 10 days of filing the notice of appeal, the appellant must serve and file with the superior court clerk a notice designating the documents from the court file that are to be included in the clerk's transcript (Cal. Rules of Court, rule 5(a)(1)). You can use Judicial Council form APP-004, *Notice Designating Record on Appeal in Unlimited Civil Case* to file this notice in an unlimited civil case.

Each document designated for inclusion in the clerk's transcript must be identified by its title and filing date. If the filing date is not known, the date the document was signed may be used instead. (Cal. Rules of Court, rule 5(a)(4).)

Within 10 days after service of the notice designating the documents to be included in the clerk's transcript, respondent may serve and file a notice designating additional documents to be included in the clerk's transcript (Cal. Rules of Court, rule 5(a)(3)).

The superior court clerk will send appellant a bill for the cost of preparing an original and one copy of the transcript (Cal. Rules of Court, rule 5(c)). This must be paid within 10 days or the appeal may be dismissed by the Court of Appeal.

6. FILING THE RECORD

After all the fees have been paid, the superior court clerk will compile the requested documents into a transcript format and forward the original clerk's transcript, together with the original reporter's transcript, if any, to the Court of Appeal for filing. A copy of the clerk's transcript will be sent to the appellant. If the respondent has purchased a copy, the clerk's transcript will also be mailed to the respondent. (Cal. Rules of Court, rules 4(f), 5(d) and 11.)

7. BRIEFS

The preparation and filing of briefs is governed by rules 13 through 18 of the California Rules of Court. Parties are encouraged to read these rules thoroughly and comply accordingly.

Contents and Format of Briefs

See rule 14 of the California Rules of Court.

The brief must clearly explain, using references to the clerk's and reporter's transcripts, the claimed legal errors in the superior court proceedings. Each brief must be no longer than 14,000 words if produced on a computer or up to 50 pages if produced on a typewriter. The brief must contain a table of contents and a table of authorities.

Service and Filing of Briefs

See rule 15 of the California Rules of Court.

Appellant's opening brief must be served and filed within 30 days after the record is filed in the Court of Appeal or 70 days from the date appellant elects to proceed under rule 5.1 with no reporter's transcript. The cover of appellant's opening brief must be green.

Respondent's brief must be served and filed within 30 days after the appellant's opening brief is filed. The cover of respondent's brief must be yellow.

Appellant's reply brief, if any, must be served and filed within 20 days after respondent's brief is filed. The cover of appellant's reply brief must be tan.

An original and four copies of each brief, along with proof of service, must be filed with the Court of Appeal.

A copy of each brief must be served on the superior court clerk for delivery to the trial judge.

Five copies must be served on the California Supreme Court.

All counsel and self-represented parties must be served.

In some instances a copy must be served on the Attorney General or the local district attorney. See Cal. Rules of Court, rule 15(e)(1).

Cover: Appellant's Opening Brief—Green
Respondent's Brief—Yellow
Appellant's Reply Brief—Tan

File: Original plus 4 copies along with proof of service in the Court of Appeal

Serve: California Supreme Court—5 copies
Superior Court—1 copy
All counsel
All self-represented parties

CASE NAME:	CASE NUMBER:
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EXTENSION OF TIME TO FILE BRIEF

The parties may extend the time to file a brief for up to 60 days by filing a stipulation (agreement) in the Court of Appeal (Cal. Rules of Court, rule 15 (b)).

An application for extension of time must be filed with the Court of Appeal before the brief is due when:

The parties cannot agree to a stipulation; or

The parties have stipulated to the maximum automatic extension permitted under rule 15 of the California Rules of Court, and the applicant seeks a further extension.

Judicial Council form APP-005, *Application for Extension of Time to File Brief*, can be used to apply to the Court of Appeal for an extension of time to file a brief.

8. ABANDONMENT OF APPEAL

If the appellant decides not to proceed with the appeal, the appellant must file an abandonment of appeal or a request for dismissal. If the record has not yet been filed in the Court of Appeal, the appellant must file an abandonment of appeal in the superior court. You can use Judicial Council form APP-006, *Abandonment of Appeal (Civil Case)* for this purpose. If the record has already been filed in the Court of Appeal, the appellant must file a request for dismissal in the Court of Appeal. You can use Judicial Council form APP-007, *Request for Dismissal of Appeal (Civil Case)* for this purpose. (Cal. Rules of Court, rule 20.)

appeals from the following judgment or order in this case:

- ☐ Judgment after jury trial
- ☐ Judgment after court trial
- ☐ Default judgment
- ☐ Judgment after an order granting a summary judgment motion
- ☐ Judgment of dismissal under Code of Civil Procedure sections 581d, 583.250, 583.360, or 583.430
- ☐ Judgment of dismissal after an order sustaining a demurrer
- ☐ An order after judgment under Code of Civil Procedure section 904.1(a)(2)
- ☐ An order of judgment under Code of Civil Procedure section 904.1(a)(3)–(13)
- ☐ Other *(describe and specify code section that authorizes this appeal)*:

Which was entered on (date):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME:	CASE NUMBER:
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NOTICE: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. **YOU MAY NOT PERFORM THE MAILING OR DELIVERY YOURSELF.** You must have a person who is at least 18 years old complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the form and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

PROOF OF SERVICE

☐ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. My residence or business address is (*specify*):
3. I mailed or personally delivered a copy of the *Notice of Appeal—Unlimited Civil Case* as follows (*complete either a or b*):
 - a. ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope **and**
 - (a) ☐ **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served:
 - (b) Address on envelope:
 - (c) Date of mailing:
 - (d) Place of mailing (*city and state*):
 - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:
 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (TYPE OR PRINT NAME)	<div style="display: flex; align-items: center; justify-content: center;"> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> </div> (SIGNATURE OF DECLARANT)
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COURT OF APPEAL, _____ APPELLATE DISTRICT, DIVISION _____		Court of Appeal Case Number (if known):
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): _____ TELEPHONE NO.: E-MAIL ADDRESS (Optional): FAX NO. (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY <h1 style="text-align: center;">DRAFT 3</h1> <h1 style="text-align: center;">3/24/03</h1>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
APPELLANT: RESPONDENT:		
NOTICE DESIGNATING RECORD OF APPEAL IN UNLIMITED CIVIL CASE		Superior Court Case Number:
RE: Appeal filed on (date):		

TO: Clerk of the Superior Court, County of (name of county):

NOTICE IS HEREBY GIVEN that (name):

The ☐ Appellant ☐ Respondent in the above case (check only one):

1. ☐ (Clerk's and Reporter's Transcripts) elects under rules 4 and 5 of the California Rules of Court to proceed with a clerk's transcript as designated on page 2 AND a reporter's transcript as designated on page 3. (Fill out the clerk's transcript section on page 2 and the reporter's transcript section on page 3.)
2. ☐ (Clerk's Transcript Only; no Reporter's Transcript)
 - a. elects under rule 5 of the California Rules of Court to proceed with a clerk's transcript as designated on page 2. (Fill out the clerk's transcript section on page 2.)
-AND-
 - b. elects to have no reporter's transcript.
3. ☐ (Appendix and Reporter's Transcript)
 - a. elects under rule 5.1 of the California Rules of Court to prepare own transcript in lieu of a court-prepared clerk's transcript.
-AND-
 - b. requests a reporter's transcript as designated on page 3. (Fill out the reporter's transcript section on page 3.)
4. ☐ (Appendix Only; no Reporter's Transcript)
 - a. elects under rule 5.1 of the California Rules of Court to prepare own transcript in lieu of a court-prepared clerk's transcript.
-AND-
 - b. elects to have no reporter's transcript. (Date and sign only.)

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME:	CASE NUMBER:
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NOTICE DESIGNATING CLERK'S TRANSCRIPT

(Cal. Rules of Court, rule 5)

It is requested that the following documents in the superior court file be included in the clerk's transcript (*give the specific title of each document, an accurate description, and the date of filing*):

Document Title and Description

Date of Filing

(NOTE: Items 1–6 are required to be a part of the clerk's transcript and will automatically be included.)

1. Notice of appeal
2. Notice designating record on appeal (*this document*)
3. Judgment or order appealed from
4. Notice of entry of judgment (*if any*)
5. Notice of intention to move for new trial or vacate judgment (*if any*)
6. Ruling on item 5.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

☐ See additional pages.

CASE NAME:	CASE NUMBER:
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NOTICE DESIGNATING REPORTER'S TRANSCRIPT
(Cal. Rules of Court, rule 4(a)(1), (4))

<u>Reporter's Name</u>	<u>Dept.</u>	<u>Date</u>	<u>Nature of Proceedings</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			

☐ See additional pages.

CASE NAME:	CASE NUMBER:
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PROOF OF SERVICE

☐ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. My residence or business address is (*specify*):
3. I mailed or personally delivered a copy of the *Notice Designating Record on Appeal in Unlimited Civil Case* as follows (*complete either a or b*):
 - a. ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope **and**
 - (a) ☐ **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served:
 - (b) Address on envelope:
 - (c) Date of mailing:
 - (d) Place of mailing (*city and state*):
 - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:
 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)



 (SIGNATURE OF DECLARANT)

COURT OF APPEAL, _____ APPELLATE DISTRICT, DIVISION _____	Court of Appeal Case Number: _____
ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): _____ TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY <h1 style="text-align: center;">DRAFT 3</h1> <h1 style="text-align: center;">3/24/03</h1>
APPELLANT: RESPONDENT:	
APPLICATION FOR EXTENSION OF TIME TO FILE BRIEF	

1. I (*name*):

request that the time to file

☐ appellant's opening brief, which is now due on (*date*):

☐ respondent's brief, which is now due on (*date*):

☐ appellant's reply brief, which is now due on (*date*):
be extended to (*date*):

2. I ☐ have ☐ have not received a rule 17 notice.

3. I have received

☐ no previous extensions to file this brief.

☐ (*Number of extensions*): _____ extensions totaling (*number of days*): _____

4. I am unable to file a stipulation to an extension because

☐ the other party is unwilling to stipulate to an extension.

☐ other reason (*please specify*): _____

5. The reason I need an extension to file this brief is (*please specify*): _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF PARTY OR ATTORNEY)

TO BE FILED IN THE SUPERIOR COURT

APP-006

COURT OF APPEAL, _____ APPELLATE DISTRICT, DIVISION _____	Court of Appeal Case Number (if known):
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT 3 3/24/03
APPELLANT: RESPONDENT:	
ABANDONMENT OF APPEAL (CIVIL CASE)	Superior Court Case Number:

The undersigned appellant hereby abandons the appeal in the above entitled action.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF APPELLANT OR ATTORNEY)

NOTE: File this form in the superior court if the record has not yet been filed in the Court of Appeal. If the record has already been filed in the Court of Appeal, you cannot use this form; you must file a request for dismissal in the Court of Appeal. You can use form APP-007 to file a request for dismissal in the Court of Appeal.

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PROOF OF SERVICE

☐ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. My residence or business address is (*specify*):
3. I mailed or personally delivered a copy of the *Abandonment of Appeal (Civil Case)* as follows (*complete either a or b*):
 - a. ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope **and**
 - (a) ☐ **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served:
 - (b) Address on envelope:
 - (c) Date of mailing:
 - (d) Place of mailing (*city and state*):
 - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:
 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (TYPE OR PRINT NAME)	<div style="text-align: right; margin-bottom: 5px;">▶</div> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (SIGNATURE OF DECLARANT)
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PROOF OF SERVICE

☐ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and **not a party to this legal action**.
2. My residence or business address is (*specify*):
3. I mailed or personally delivered a copy of the *Request for Dismissal of Appeal (Civil Case)* as follows (*complete either a or b*):
 - a. ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope **and**
 - (a) ☐ **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (b) ☐ **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served:
 - (b) Address on envelope:
 - (c) Date of mailing:
 - (d) Place of mailing (*city and state*):
 - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:
 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)